

LAW OFFICES
FARRAR & BATES, L.L.P.

J. Russell Farrar
William N. Bates
Kristin Ellis Berexa
Teresa Reall Ricks
Molly R. Cripps
Mary Byrd Ferrara*
Robyn Beale Williams
Jennifer Orr Locklin
P. Andrew Wright, Jr.

211 Seventh Avenue North
Suite 420
Nashville, Tennessee 37219

Telephone 615-254-3060
Facsimile 615-254-9835
E-Mail: fblaw@farrar-bates.com

Of Counsel

H. LaDon Baltimore
Joseph S. Reeves III
Gregory E. Seneff, Sr.

REC'D TN
REGULATORY AUTHORITY

*02 MAR 13 AM 9 23

OFFICE OF THE
EXECUTIVE SECRETARY

*Also licensed in KY

March 11, 2002

David Waddell
Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

RE: Complaint of KMC Telecom, III, Inc. and KMC Telecom V, Inc. Against United
Telephone Southeast, Inc.; Docket No. 01-00964

Dear Mr. Waddell:

Enclosed are two copies of KMC's First Set of Data Requests to United Telephone Southeast, Inc. The original has been forwarded to James Wright, counsel for United Telephone Southeast, Inc. Please date stamp one copy and return it to me in the self-addressed, stamped envelope also enclosed.

Thank you for your assistance. If you have any questions, please do not hesitate to contact me.

Sincerely,



H. LaDon Baltimore

LDB/dcg
Enclosures

cc: James Wright, Esq.
John McLaughlin
Gordon Polozola, Esq.

PS/TD
3/13/02

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
AT NASHVILLE, TENNESSEE**

IN RE:)	Docket No. 01-00964
)	
COMPLAINT OF KMC TELECOM III,)	
INC. AND KMC TELECOM V, INC.)	
)	
Against)	
)	
UNITED TELEPHONE)	
SOUTHEAST, INC.)	

**FIRST SET OF DATA REQUESTS OF KMC TELECOM III, INC. AND
KMC TELECOM V, INC. TO UNITED TELEPHONE SOUTHEAST, INC.**

Complainants, KMC Telecom III, Inc. and KMC Telecom V, Inc. (hereinafter collectively "KMC"), hereby propound the following data requests to United Telephone Southeast, Inc. ("Sprint") to be answered in a manner consistent with the Rules of the Tennessee Regulatory Authority and within the 20-day time period established in this proceeding.

I. DEFINITIONS AND INSTRUCTIONS

1. For the purposes of these data requests, the following definitions shall apply:

"Documents" is used in the broadest sense and includes all tangible things that record information. "Documents" includes both the original and any copy or draft, and all copies which contain any notation not on the original. Examples of "documents" include, but are not limited to, handwritten, typed or printed papers, handwritten notations, office notes, calendar entries, diaries, notes of telephone conversations, photographs, reports, receipts, invoices, memoranda, correspondence, notes, ledger entries, work papers and computer printouts, cards, tapes, disks, and other means of electronically or magnetically maintained information.

“Identify” means (1) when used with reference to a natural person, give the person’s full name, business or residence address, business or residence telephone number, occupation and employer; (2) when used with reference to an entity, give the entity’s full name, address and telephone number; (3) when used with reference to a document, give the document’s date, title, author, recipient, type (e.g., letter, memorandum, note, etc.), name of the custodian of the document, and a description of the contents with sufficient specificity to be the basis for discovery; and (4) when used with reference to an action taken by an entity, identify the person(s) taking the action, describe the nature of the action, and give the date on which the action was taken. If any action identified pursuant to (4) involved a communication with another person, identify the person(s) with whom the actor(s) communicated; and, if the communication was through the use of a document, identify the document through which the communication was made.

“Person” includes a natural person, partnership, joint venture, firm, corporation, association, organization, or any other type of business or legal entity.

“CLEC” means a competitive local exchange carrier.

“ILEC” means an incumbent local exchange carrier.

“LEC” means a local exchange carrier, including but not limited to CLECs and ILECs.

“Sprint” means United Telephone Southeast, Inc.

“KMC” means KMC Telecom III, Inc. and/or KMC Telecom V, Inc.

2. If the answers to any of the following data requests could be provided through the production of existing documents within Sprint’s possession or control, or within the possession

or under the control of any of its representatives, including its attorneys, KMC will accept such production in lieu of written answers to any such data requests.

3. Provide the names, addresses and positions of each person responsible for preparing each of the answers to the following data requests, and for each person providing information used in the preparation of each answer.

4. If you maintained that any document or record which refers to or relates to anything about which these data requests ask or that would be responsive to any of the data requests has been destroyed, set forth the contents of said document, the location of any copies of said document, the date and circumstances of said destruction and the name of the person who ordered or authorized such destruction.

5. In answering these data requests, furnish all information and responsive documents in the possession of Sprint or in the possession of any director, officer, employee, agent, representative, or attorney of Sprint.

6. If you cannot answer any data request in full after exercising due diligence to secure all the information requested, or do not have precise information with regard to any part of a data request, you should so state, describing in full your efforts to obtain the information requested, and then proceed to answer to the fullest extent possible.

7. When the information requested by a data request varies over time, state the response for each period of time as to which the response differs, and identify the time periods applicable to each portion of the response.

8. Where the data requested, including but not limited to cost studies and related information, is or can be made available on CD ROM, please provide the documentation on CD

ROM. Where both public and proprietary versions of said cost studies exist, please provide both public and proprietary versions of all cost studies.

9. Where Sprint believes a document that is responsive to these data requests is protected by attorney-client privilege, a privilege log listing the date of the document, title, author, recipients, type (e.g., letter, memorandum, note, etc.), name of the custodian of the document, and a description of the contents with sufficient specificity to be the basis for analyzing Sprint's claim of privilege should be provided.

II. DATA REQUESTS:

1. Identify and produce all Sprint security policies and procedures for Kingsport, Johnson City Tandem, and Johnson City Main, in effect in years 2000, 2001, and 2002.
2. Identify and produce all changes in security policies and procedures for Kingsport, Johnson City Tandem and Johnson City Main, during years 2000, 2001, and 2002.
3. Identify the persons who prepared, reviewed and/or approved Sprint security policies and procedures for Kingsport, Johnson City Tandem, and Johnson City Main, in effect in years 2000, 2001, and 2002.
4. Identify and produce all photographs of KMC property damage at collocated facilities in Tennessee.
5. Identify and produce all video surveillance tapes for Kingsport, Johnson City Tandem and Johnson City Main, for November 2000, September 2000 and January 2002. If such tapes no longer exist, state when such tapes were destroyed, by whom, and produce the policy under which such tapes were destroyed.

6. Identify and produce all entry/visitation logs for Kingsport, Johnson City Tandem and Johnson City Main for November 2000, September 2000 and January 2002.
7. Identify each person involved in and produce all documents relating to the investigation by Sprint of the damage to KMC's equipment at Kingsport, Johnson City Tandem and Johnson City Main.
8. Itemize and produce documents confirming Sprint caging expenses for Kingsport, Johnson City Tandem and Johnson City Main locations.
9. Identify and produce maps/drawings of physical layout of Kingsport, Johnson City Tandem and Johnson City Main, locations.
10. Identify all persons responsible for security, maintenance and/or repairs and corresponding job titles and employers, for Kingsport, Johnson City Tandem and Johnson City Main, for November 2000, September 2000 and January 2002.
11. Identify all persons known to Sprint who witnessed damage to KMC equipment at Kingsport, Johnson City Tandem and Johnson City Main.
12. Identify all persons known to Sprint with information regarding the source or cause of damage to KMC equipment at Kingsport, Johnson City Tandem and Johnson City Main.
13. Identify all LECs collocated at Kingston, Johnson City Tandem and Johnson City Main, other than Sprint and KMC.
14. Identify and produce all Sprint coordinated cut policies and procedures for Tennessee.
15. Identify the persons who prepared, reviewed and/or approved Sprint coordinated cut policies and procedures for Tennessee.

16. Identify and produce all Sprint coordinated cut training policies and procedures.
17. Identify the persons responsible for training of Sprint employees or agents in Sprint coordinated cut policies and procedures.
18. Identify and produce copies of all correspondence and documents arising from or related to KMC and customer complaints regarding coordinated cuts and any efforts by Sprint to resolve these complaints.
19. Identify all Sprint employees/contractors implementing coordinated cuts for KMC, including: employer, title, years experience with employer, training in coordinated cuts, years experience in conducting coordinated cuts.
20. Identify and produce Sprint's Firm Order Confirmation ("FOC") policies, procedures and interval.
21. Identify and produce all Sprint policies and procedures for implementing CLEC customer-related disconnect orders in Tennessee.
22. Identify and produce all Sprint call-before-disconnect policies and procedures for Tennessee.
23. Identify and produce copies of all correspondence and documents arising from or related to KMC and customer complaints regarding premature disconnections, and Sprint efforts to resolve these complaints.
24. Identify all Sprint employees/contractors implementing disconnections for KMC, including: employer, title, years experience with employer, training in disconnections, and years experience in conducting disconnections.

25. Identify and produce all Sprint circuit acceptance policies and procedures for Tennessee.
26. Identify and produce copies of all correspondence and documents arising from or related to KMC complaints regarding circuit acceptance procedures, and Sprint efforts to resolve those complaints.
27. Identify all circuits, dates and identification numbers of lines disconnected because Sprint claims KMC failed to accept them.
28. Identify all customer service failures within 10 days of install for KMC customers for years 2000, 2001, and 2002 to date, in Tennessee.
29. Identify and produce all Sprint UNE circuit tests, such as "bit error rate" or other comparable tests to determine circuit degradation for years 2000, 2001, and 2002 to date, in Tennessee.
30. Identify persons responsible for conducting or supervising all Sprint UNE circuit tests, such as "bit error rate" or other comparable tests to determine circuit degradation for years 2000, 2001, and 2002 to date, in Tennessee.
31. Identify and produce all Sprint trouble report opening and closing policies and procedures for CLECs in Tennessee.
32. Identify and produce all Sprint trouble report opening and closing policies and procedures applicable for Sprint retail customers in Tennessee.
33. Identify and produce all Sprint trouble report coding/description policies and procedures for CLECs in Tennessee.

34. Identify and produce all Sprint trouble report coding/description policies and procedures applicable for Sprint retail customers in Tennessee.

35. Identify and produce copies of all trouble report dates, type, code, corresponding resolution dates, and repeat trouble incidences for Sprint customers and for KMC customers in Tennessee in years 2000, 2001, and 2002 to date.

36. Identify and produce all Sprint trouble report notification policies and procedures for CLECs in Tennessee.

37. Identify and produce all Sprint trouble report notification policies and procedures applicable for Sprint retail customers in Tennessee.

38. Identify all Sprint employees/contractors working on KMC trouble reports, including: employer, title, years experience with employer, training in trouble report response, and years experience in conducting trouble responses.

39. Identify all Sprint employees/contractors working on Sprint retail customer trouble reports, including: employer, title, years experience with employer, training in trouble report response, and years experience in conducting trouble responses.

40. Identify and produce all KMC "trouble reports" and all related correspondence and documentation of Sprint efforts to resolve such troubles for years 2000, 2001, and 2002 to date in Tennessee.

41. Identify and produce all Sprint "trouble reports" and all related correspondence and documentation of Sprint efforts to resolve such troubles for years 2000, 2001, and 2002 to date in Tennessee.

42. Identify and produce all Sprint performance data reports for KMC in Tennessee for years 2000, 2001, and 2002 to date.

43. Identify and produce all documents relating to Sprint's performance for its retail customers in comparison to Sprint's performance for CLECs, including specific comparisons of Sprint's performance to KMC, in Tennessee for years 2000, 2001, and 2002 to date.

44. Produce all Sprint correspondence and documentation of KMC complaints regarding Sprint no facilities/pending facilities claims and any efforts by Sprint to resolve problems and provide adequate facility capacity.

45. Produce all Sprint correspondence and documentation of Sprint retail customer complaints regarding Sprint no facilities/pending facilities claims and any efforts by Sprint to resolve problems and provide adequate facility capacity.

46. Identify and produce all Sprint no facilities/pending facilities policies and procedures for CLECs in Tennessee.

47. Identify and produce all Sprint no facilities/pending facilities policies and procedures applicable for Sprint retail customers in Tennessee.

48. Identify and produce all Sprint escalation procedures applicable to CLECs in Tennessee.

49. Identify and produce all Sprint escalation procedures applicable for Sprint retail customers in Tennessee.

50. Produce all Sprint correspondence and documentation of KMC complaints regarding ineffective escalation procedures and any efforts by Sprint to resolve these complaints and improve escalation procedures.

51. Identify geographic area of Sprint deployment of IDLC in Tennessee for years 2000, 2001, and 2002 to date.

52. Given Sprint's IDLC deployment, and lack of available facilities capacity in Tennessee, identify and describe any Sprint plans to make adequate facilities available to KMC.

53. Identify and produce Sprint's cost to serve retail customers where IDLC is deployed in Tennessee for years 2000, 2001, and 2002 to date, including but not limited to all cost studies and supporting data.

54. Identify and produce Sprint's cost to serve retail customers where copper is deployed in Tennessee for years 2000, 2001, and 2002 to date, including but not limited to all cost studies and supporting data.

55. Identify percentage of Sprint customers on IDLC versus copper in Tennessee for years 2000, 2001, and 2002 to date.

56. In areas where Sprint has deployed IDLC in Tennessee, identify whether and to what extent Sprint has retired any copper and whether such copper has been made available to CLECs.

57. Identify Sprint costs of deployment of IDLC versus copper for Tennessee for years 2000, 2001, and 2002 to date on a total costs and incremental cost basis.

58. Identify and produce all Sprint cost studies and supporting data for all Sprint UNEs in Tennessee for years 2000, 2001, and 2002 to date.

59. Identify and produce Sprint Bona Fide Request ("BFR") ordering policies and procedures in Tennessee where IDLC is deployed.

60. Identify and produce Sprint Bona Fide Request ("BFR") ordering policies and procedures in Tennessee where IDLC is not deployed.

61. Identify and produce all correspondence and documents related to KMC complaints regarding Sprint IDLC deployment in Tennessee and any Sprint efforts to resolve those complaints and/or provide alternative arrangements.

62. Identify and produce all Sprint policies and procedures, plans and goals/objectives for Tennessee for years 2000, 2001, and 2002, regarding re-obtaining customers who switch to other LECs.

63. Identify and produce all Sprint compensation/bonus/commission policies and procedures, and results, regarding re-obtaining customers who switch to other LECs, for Tennessee for years 2000, 2001, and 2002.

64. Identify and produce all data showing numbers of customers re-obtained by Sprint in Tennessee after switching to another LEC, for years 2000, 2001, and 2002 to date.

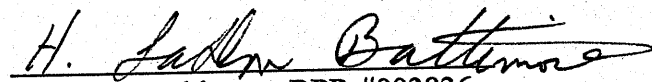
65. Identify and produce all data showing numbers of customers re-obtained by Sprint in Tennessee after switching to KMC, for years 2000, 2001, and 2002 to date.

66. Identify and produce Sprint policies and procedures relating to Sprint employee or agent misconduct toward CLEC customers, including any policy which would address disciplinary action for Sprint employees or agents found to be making disparaging or improper comments to CLEC customers, in effect in years 2000, 2001, and 2002.

67. Identify and produce any training policies and procedures relating to Sprint employee or agent conduct when such employee or agent is in contact with CLEC customers in effect in years 2000, 2001, and 2002.

68. Identify all instances of Sprint investigating CLEC or customer complaints relating to Sprint employee or agent misconduct toward CLEC customers, including the name of the CLEC or customer making such complaint, the date of such complaint, the alleged misconduct of the Sprint employee or agent, and the action taken by Sprint to resolve the complaint, in Tennessee for years 2000, 2001, and 2002 to date.

Submitted by:



H. LaDon Baltimore, BPR #003836

FARRAR & BATES, L.L.P.

211 Seventh Avenue North, Suite 420

Nashville, TN 37219

(615) 254-3060

(615) 254-9835 FAX

J. Randy Young (La. Bar # 21958)

Gordon D. Polozola (La. Bar # 23900)

KEAN, MILLER, HAWTHORNE,

D'ARMOND, McCOWAN & JARMAN, L.L.P.

One American Place, Suite 1700

P. O. Box 3513 (70821)

Baton Rouge, LA 70825

Counsel to KMC Telecom

John D. McLaughlin, Jr.

Marva Brown Johnson, Esq.

Scott A. Kassman, Esq.

David Sered

KMC TELECOM HOLDINGS, INC.

1755 North Brown Road

Lawrenceville, GA 30043

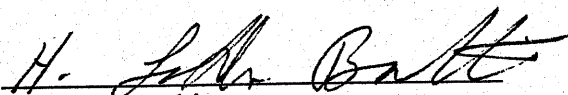
(678) 985-7900

(678) 985-6213 FAX

Certificate of Service

The undersigned hereby certifies that a true and correct copy of the foregoing has been forwarded via U. S. Mail, first class postage prepaid, to the following, this 11th day of March, 2002.

James Wright, Esq.
United Telephone Southeast, Inc.
14111 Capitol Blvd.
Wake Forest, NC 27587-5900


H. LaDon Baltimore